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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LAS VEGAS DEVELOPMENT GROUP,) CASE NO.: 2:15-cv-01394
LLC, a Nevada limited liability company,)

Plaintiff(s),)

v.)

COLFIN A1-NV 2, LLC, a Delaware limited)
liability company; BANK OF AMERICA,)
N.A., a National Banking Association, as)
successor by merger to BAC HOME LOANS)
SERVICING, LP; MTC FINANCIAL, INC., a)
California corporation; JOHN VIDA, an)
individual; FEDERAL HOME MORTGAGE)
CORPORATION, a federally chartered)
corporation; ELMER S. CASTRO, an)
individual; JFK FINANCIAL, INC., a Nevada)
Corporation; DOE individuals I through XX;)
and ROE CORPORATIONS I through XX,)

Defendant(s).)

AND RELATED CLAIMS)

**ORDER EXPANDING TIME FOR SERVICE OF PROCESS
AND GRANTING LEAVE FOR SERVICE OF PROCESS BY PUBLICATION
COLFIN**

On January 4, 2016, COLFIN A1-NV 2, LLC (“Colfin”) filed its Motion to Expand Time for Service and for Leave to Serve by Publication [Doc. #50]. Based on said Motion, Colfin has filed cross-claims against Defendants ELMER S. CASTRO (“Castro”); that a Summons directed to Castro has been issued; and that Colfin has diligently attempted to locate and serve Castro with process of the above-referenced Summons and Amended Answer,

1 Counterclaims and Cross-Claims [Doc. #33] without success.

2 It further appears that Castro is neither an infant nor incompetent persons and that he
3 resides out of the state or has departed from the state, or cannot after due diligence be found
4 within the state, or by concealment seek to avoid the service of summons. Good cause
5 appearing therefor, and pursuant to Fed. R. Civ. P. 4(e)(1) and N.R.C.P. 4(e)(1),

6 IT IS HEREBY ORDERED that Colfin's Motion is hereby GRANTED;

7 IT IS FURTHER ORDERED that the time allowed for service of process of the Castro
8 shall be enlarged until and including April 25, 2016;

9 IT IS FURTHER ORDERED that because Castro cannot be found so as to be personally
10 served, he may be served by publication of the Summons at least once a week for four (4)
11 consecutive weeks in the Nevada Legal News or another newspaper of general circulation
12 published in Clark County, Nevada.

13 IT IS FURTHER ORDERED that because it appears that Castro resides at an unknown
14 location in Guam, in addition to in-state publication, the Summons shall be published at least
15 once a week for four (4) consecutive weeks in the Guam Daily Post, the Guam Pacific Daily
16 News or another newspaper of general circulation on the island of Guam.

17 IT IS FURTHER ORDERED that because the residence addresses of Castro is not
18 known, Colfin shall not be required to attempt to mail the Summons and Amended Answer,
19 Counterclaims and Cross-Claims to Castro via the United States postal service.

20 DATED this 4th day of March, 2016

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23 C.W. Hoffman, Jr.
United States Magistrate Judge
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